IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.550 OF 2007

IN

CRIMINAL APPEAL NO.459 OF 2006

Sunil @ Langdya Balu Ramesh
Khandekar : Applicant

versus

The State of Maharashtra : Respondent.

Mr.M.S.Adenwala for the applicant.
Mr.P.S.Hingorani, APP, for the State.

CORAM : D.G.DESHPANDE
SMT.NISHITA MHATRE, JJ.
DATED : JUNE 11, 2007.

P.C.

1. Heard the learned advocate for the applicant and learned APP for the State. This is an application for bail. The applicant/accused

is convicted under Section 302 of the Indian Penal Code. There are two eye witnesses to the incident. Their testimonies are placed on record. P.W.2 has made material improvements in her story. According to the statement given to police, she is not the eye witness but before the Court she purports to be an eye witness. So far as P.W.1 is concerned, she also did not know the name of accused in Court though she had named him in her FIR. The applicant/accused was on bail during trial since 1993 and there is nothing on record to show he has misused the bail during that period. There are no criminal antecedents against him as per the statement made by the advocate for the accused. In this view of the matter, We pass the following order :-

:ORDER:

Application for bail is allowed.

Substantive sentence of the accused is suspended, pending appeal.

Applicant/accused be released o his furnishing P.R. bond of Rs.10,000/- with

one solvent surety in the like amount.

He should attend the concerned Police Station once in a two months for a period of one year.

Application is disposed off.

[SMT.NISHITA MHATRE, J] **[D.G.DESHPANDE,J]**